

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON HUMAN SERVICES**

**Call to Order:** By Chairman Ron Stoker, on February 5, 2007 at 3:00 P.M., in Room 152 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Ron Stoker, Chairman (R)  
Rep. Arlene Becker, Vice Chairman (D)  
Rep. Tom McGillvray, Vice Chairman (R)  
Rep. Mary Caferro (D)  
Rep. Ernie Dutton (R)  
Rep. Julie French (D)  
Rep. Pat Ingraham (R)  
Rep. William J. Jones (R)  
Rep. Krayton Kerns (R)  
Rep. Dave McAlpin (D)  
Rep. Ken Peterson (R)  
Rep. Michele Reinhart (D)  
Rep. Diane Sands (D)

**Members Excused:** None.

**Members Absent:** Rep. Mike Milburn (R)

**Staff Present:** Debbie Carlson, Committee Secretary  
Sue O'Connell, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 359, 1/25/2007; HJR 18,  
1/25/2007  
Executive Action: HB 268, HB 414, HB 386, HB 157

**HEARING ON HB 359**

**Opening Statement by Sponsor:**

00:00:12 Rep. Ernie Dutton (R), HD 56, opened the hearing on HB 359, Individual medical lab test without physicians orders.

[EXHIBIT\(huh25a01\)](#)

[EXHIBIT\(huh25a02\)](#)

**Proponents' Testimony:**

00:11:03 Don Judge, Montana Nurses' Association

**Opponents' Testimony:**

00:14:37 Dr. Michael Brown, Pathologist, Billings, Montana

[EXHIBIT\(huh25a03\)](#)

00:23:00 Carrie Biskupiak, Clinical Laboratory Scientist, American Society for Clinical Laboratory Science - Montana (ASCLS)

[EXHIBIT\(huh25a04\)](#)

00:25:55 Craig Linke, Laboratory Director, St. Peter's Hospital

[EXHIBIT\(huh25a05\)](#)

00:31:22 Dr. Bruce Britton, Montana Society of Pathologist, Pathology Consultants of Western Montana.

[EXHIBIT\(huh25a06\)](#)

[EXHIBIT\(huh25a07\)](#)

00:35:32 Russell Morrison, Director, Laboratory Services, St. Vincent's Healthcare

[EXHIBIT\(huh25a08\)](#)

00:40:15 Beda Lovitt, Physician Members, Montana Medical Association

**Informational Testimony:**

00:42:30 Ann Weber, Bureau Chief, Laboratory Services Bureau, Department of Health and Human Services

**Questions from Committee Members and Responses:**

00:43:10 Rep. French

00:44:12 Ms. Biskupiak

00:44:21 Rep. French  
00:44:42 Ms. Biskupiak  
00:45:43 Rep. French  
00:45:58 Ms. Biskupiak  
00:47:00 Rep. French  
00:47:35 Dr. Brown  
00:52:49 Rep. Jones  
00:53:47 Dr. Britton  
00:56:12 Rep. Ingraham  
00:57:18 Ms. Lovitt  
00:58:02 Rep. Peterson  
00:59:05 Dr. Brown

**Closing by Sponsor:**

01:03:25 Rep. Dutton

**HEARING ON HJR 18**

**Opening Statement by Sponsor:**

01:08:58 Rep. Jill Cohenour (D), HD 78, opened the hearing on  
HJR 18, Study chronic pulmonary obstructive disease and  
asthma.

**Proponents' Testimony:**

01:10:17 Dick Paulson, Executive Director, American Lung  
Association

**[EXHIBIT\(huh25a09\)](#)**

01:18:27 Becky Fleming

01:23:32 Dr. Richard Sargent, Physician, Helena, MT

**[EXHIBIT\(huh25a10\)](#)**

01:26:26 Dewey Hahlbohm, Physician's Assistant, Certified Asthma  
and Immunology Educator

01:32:44 Gary Wolf

01:34:44 Cliff Christian, American Heart Association

01:39:52 Mike Foster, representing Hospitals

**Opponents' Testimony:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

01:41:00 Rep. Stoker

01:41:26 Dr. Sargent  
 01:43:32 Rep. Ingraham  
 01:44:18 Mr. Paulson  
 01:47:01 Rep. French  
 01:47:48 Rep. Cohenour  
 01:49:11 Rep. Stoker  
 01:49:42 Mary Dalton, Department of Health and Human Resources  
 01:50:14 Rep. McGillvray  
 01:51:01 Mr. Paulson  
 01:54:02 Rep. Stoker  
 01:54:19 Rep. Cohenour  
 01:54:32 Dr. Sargent  
 01:56:51 Rep. Stoker  
 01:57:12 Dr. Sargent

**Closing by Sponsor:**

01:59:21 Rep. Cohenour

**EXECUTIVE ACTION ON HB 268**

02:01:22 **Motion:** Rep. French moved that HB 268 **DO PASS**.

**Discussion:**

02:01:42 Rep. Kerns  
 02:02:11 Rep. French  
 02:02:46 Rep. Peterson  
 02:03:09 Rep. Jones

02:03:54 **Vote:** Motion failed 3-11 by roll call vote with Rep. Caferro and Rep. Jones voting aye. Rep. Sands voted aye by proxy. Without objection Rep. Becker requested to reverse the vote and **TO TABLE** HB 268.

**EXECUTIVE ACTION ON HB 386**

02:05:12 **Motion/Vote:** Rep. McGillvray moved **DO PASS** on HB 386.

02:05:26 Rep. Peterson

02:05:59 **Motion/Vote:** Rep. Dutton moved that HB 386 **BE TABLED**. Motion carried unanimously by voice vote. Rep. Sands and Milburn voted by proxy.

02:07:20 Rep. McGillvray

**EXECUTIVE ACTION ON HB 414**

02:08:13 **Motion:** Rep. Reinhart moved that HB 414 **DO PASS**.

**Discussion:**

02:08:30 Rep. Peterson  
02:08:53 Rep. Jones  
02:09:11 Rep. Reinhart  
02:09:18 Rep. McGillvray  
02:09:59 Rep. Stoker  
02:10:09 Sue O'Connell

02:11:01 **Vote:** Motion carried unanimously by voice vote. Rep. Sands and Rep. Milburn voted aye by proxy.

**EXECUTIVE ACTION ON HB 157**

02:11:02 **Motion:** Rep. Caferro moved that HB 157 **DO PASS**.

02:11:51 **Motion:** Rep. Dutton moved that HB 157 **BE AMENDED**.  
**EXHIBIT**(huh25a11)

**Discussion:**

02:12:52 Rep. Dutton  
02:13:22 Rep. Caferro

02:14:40 **Vote:** Motion carried 13-1 by voice vote with Rep. Ingraham voting no and Rep. Milburn and Rep. Sands voting yes by proxy.

02:14:43 Rep. Becker  
02:16:54 Rep. Stoker  
02:17:03 Rep. Reinhart  
02:18:21 Rep. Jones  
02:18:53 Rep. Stoker  
02:19:40 Rep. Jones  
02:19:53 Chairman Stoker **indefinitely postponed** HB 157.  
02:20:11 Rep. Becker

**ADJOURNMENT**

Adjournment: 5:30 P.M.

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REP. RON STOKER, Chairman

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DEBBIE CARLSON, Secretary

RS/dc

Additional Exhibits:

**EXHIBIT ([huh25aad.pdf](#))**